

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KELLY and SALLY SAMSON, husband
and wife, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

Consolidated Cases Filed Under
Case No. C05-5197RJB

ORDER GRANTING JOINT
MOTION TO EXTEND FILING
DEADLINE FOR JOINT STATUS
REPORT

ALAN and MAUREEN WEISS, husband
and wife,

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

[Case No. C05-5198RJB]

MARY LAMPSON,

Plaintiff,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

[Case No. C05-5199RJB]

ROBERT and JO ANNE HACKER, husband
and wife,

[Case No. C05-5201RJB]

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

CHARLES AND SARAH KUHN, husband
and wife,

[Case No. C05-5202RJB]

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

JOHN L. and CAROLE D. SUTHERLAND,
husband and wife,

[Case No. C05-5203RJB]

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

THOMAS E. MORGAN III, and BETH
BRYSON MORGAN, husband and wife,
THOMAS E. MORGAN CHILDREN'S
TRUST; BLAKELY ROCK HOLDINGS
LLC,

[Case No. C05-5204RJB]

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

A. GARY and BARBARA J. AMES,
husband and wife, and A. GARY AND
BARBARA J. AMES LIVING TRUST,

[Case No. C05-5205RJB]

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

MARC D and TRINA LAROCHE, husband
and wife, and BLAKELY PROPERTIES,
LLC,

[Case No. C05-5206RJB]

Plaintiffs,

v.

CITY OF BAINBRIDGE ISLAND,

Defendant.

This matter comes before the Court on the parties' joint motion to extend the filing deadline for their joint status report and discovery plan to November 14, 2005 (Dkt. 27). The Court has considered the pleadings filed in this matter and the file herein.

Procedural History

Nine actions against the City of Bainbridge Island have been consolidated under Case No. 05-5197, pursuant to the Court's order of October 20, 2005. Dkt. 16. In eight of the actions, Plaintiffs are currently represented by the law firm of Davis Wright Tremaine LLP. On September 9, 2005, the Court permitted Davis Wright Tremaine LLP to withdraw as counsel for Plaintiffs Alan and Maureen Weiss. Case No. 05-5198, Dkt. 13. The Weisses are currently *pro se* in this matter. On August 30, 2005, the Court ordered the parties to file a joint status report and discovery plan by October 31, 2005.

1 Plaintiffs and Defendant contend that they have been unsuccessful in contacting the
2 Weisses regarding the joint status report. Counsel for Davis Wright Tremaine LLP contend that
3 they have emailed a draft copy of the joint status report to Mr. and Mrs. Weiss at their last-
4 known email address, but have not received a response. Further, the Weisses did not respond to
5 the Court's efforts to contact them prior to a status conference that occurred on October 28,
6 2005.

7 On October 31, 2005, the parties filed this motion seeking (1) an extension of the filing
8 deadline for the joint status report, and (2) permission to file the joint status report without the
9 input or approval of Mr. and Mrs. Weiss.

10 ORDER

11 Because the Weisses are acting *pro se* and may be unfamiliar with their obligations, it is
12 appropriate for the Court to allow the parties an additional two weeks to obtain the Weisses'
13 participation and concurrence in the joint status report and discovery plan. If, however, the
14 Weisses fail to participate in the joint status report, then the parties should be permitted to file
15 the report in order to avoid needless expense and delay. In the report, the parties should detail
16 their efforts to contact the Weisses, and make it clear that the Weisses did not respond and/or
17 participate in the proceedings.

18 Therefore, it is hereby

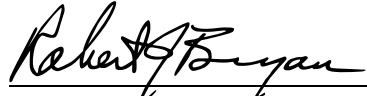
19 **ORDERED** that the parties' joint motion (Dkt. 27) is **GRANTED** as follows:

20 (1) The filing deadline for the joint status report is extended to November 14, 2005.

21 (2) Should the Weisses fail to participate in the joint status report, the other parties may
22 file the joint status report without input from the Weisses. However, the parties must
23 note in detail their good-faith attempts to include the Weisses, and the absence of the
24 Weisses from the proceedings.
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1 The Clerk of the Court is instructed to send uncertified copies of this Order to all
2 counsel of record and to any party appearing *pro se* at said party's last known address.

3 DATED this 14th day November, 2005.

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6 Robert J. Bryan
7 United States District Judge
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